

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)
OF NORTHERN ILLINOIS PENSION FUND)
AND WELFARE FUNDS,)
)
Plaintiff,)
) No. 08 C 1228
v.)
) Judge Guzman
)
KHALOUD HEGAZIN, Individually and d/b/a) Magistrate Judge Keys
AMERICAN GROUP TRUCKING CO.)
)
Defendant.)

MOTION TO COMPEL DISCOVERY RESPONSES

NOW COME the Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS, by and through its attorneys, JOHN J. TOOMEY, of ARNOLD AND KADJAN, and pursuant to FRCP Rule 37(a)(2) and (d) moves for an Order compelling Defendant to Answer Interrogatories, Produce Records and Appear for Deposition. In support of its Motion, Plaintiff states as follows:

1. Plaintiffs issued Interrogatories and Request to Produce Records on April 15, 2008 to be responded to 30 days after receipt.
2. Plaintiffs issued a Notice of Deposition on April 15, 2008, for the deposition of Khloud Hegazin, to be held on May 28, 2008.
3. Defendant has not responded to the Interrogatories or the Request to Produce.
4. Plaintiffs have been unable to depose Khloud Hegazin.
5. Plaintiff's counsel has sought responses to discovery pursuant to Local Rule 37.2 (Exhibit A, Affidavit of Counsel).

6. The production of records, the answers to Interrogatories, and the Deposition of Khloud Hegazin, are necessary to properly prosecute Plaintiff's claims.
7. Responses to Plaintiffs' requests are overdue.
8. The Court has set a discovery cutoff of July 7, 2008.

WHEREFORE, Plaintiffs pray that this Court enter and Order:

1. Ordering that the Request to Produce and Interrogatories be fully complied with by June 15, 2008.
2. Compelling the deposition of Khloud Hegazin, to proceed by June 15, 2008, at Plaintiffs' counsel's offices at 19 W. Jackson Blvd., Suite 300, Chicago, Illinois.
3. That as set forth in FRCP 37(d) that Defendant pay reasonable litigation expenses including attorneys' fees of this motion.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS PENSION AND
WELFARE FUNDS

By: _____
One of Its Attorneys

JOHN J. TOOMEY
ARNOLD AND KADJAN
19 W. Jackson Boulevard
Chicago, Illinois 60604
(312) 236-0415